

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

NICOLE WOOTEN,

Plaintiff,

v.

Case No. 1:23-cv-00012-WAL-EAH

LIMETREE BAY TERMINALS d/b/a  
OCEAN POINT TERMINALS, PORT  
HAMILTON REFINING &  
TRANSPORTATION, WEST INDIES  
PETROLEUM LTD., and LIMETREE  
BAY REFINERY, LLC, as a nominal  
Defendant

Defendants.

**[PROPOSED] ORDER GRANTING OCEAN POINT’S  
MOTION DISMISS COUNT II OF THE CROSSCLAIM, STRIKE  
SPECIFIC PARAGRAPHS OF THE CROSSCLAIM, AND FOR FEES AND COSTS**

**THIS CAUSE** came before the Court on Defendant Limetree Bay Terminals, LLC d/b/a Ocean Point Terminals’ (“Ocean Point”) Motion to Dismiss Count II of the Crossclaim, Strike Specific Paragraphs of the Crossclaim, and For Fees and Costs (the “Motion”) The Court, having reviewed the Motion and being otherwise fully advised in the premises, it is hereby:

**ORDERED AND ADJUDGED** that:

1. The Motion is **GRANTED**;
2. Count II of the Crossclaim filed by Port Hamilton Refining and Transportation LLLP (“Port Hamilton”) is hereby dismissed.
3. Paragraphs 30-31, 43, 48-52, and 62-65 of the Crossclaim are hereby stricken.

4. Port Hamilton shall reimburse Ocean Point its reasonable fees and costs incurred in defending Count II of the Crossclaim in an amount to be determined at a later date.

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THE HONORABLE WILMA A. LEWIS  
DISTRICT COURT JUDGE

Copies provided to all counsel of record.